

IN THE DISTRICT COURT OF THE
UNITED STATES FOR THE Middle
DISTRICT OF ALABAMA SOUTHERN
DIVISION

TRAVIS E.
CUMMINGS
Plaintiff

V.

JUDGE LARRY
K. ANDERSON, et al.,
Defendants

CIVIL ACTION
NO.
1:05-CV-1093-F
(LWO)

RECEIVED
2005 DEC -9 A 9:22
DEBRA P. VAHRETT
U.S. DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA

Necessary elements of Claim
PRO-SE

Come now the plaintiff in the above
style action to notify this court of
elements of claim.

1. Plaintiff has inclosed letters to
the circuit clert in efforts to gain
a copy of the notice of impeachment
served on my attorney to date
Martin Adams. This notice has 5
prior felony convictions. Plaintiff only
had 4. The 5th conviction used
in sentence inhancement is a no
billed excuse charge.

The charge also has a conviction date and a 15 yr. sentence. Plaintiff has seen this document with my own eyes at probation hearing, on Oct. 7, 2005 IN Judge Anderson's Court. Plaintiff would like to subpoena brief from probation hearing Oct, 07, 2005.

2. Plaintiff has inclosed a copy of his Arrest report from probation hearing Oct 07 2005. The report shows a Unlawful Possession of Substance which was reverse and remanded by Alabama court of criminal appeals. The case was then thrown out because the court didn't want to take of the matter any longer. I was sentenced to 15 years Under the habitual offender status. After my appeal my timesheet went back to 7 years on 4 felons.

3. Plaintiff has inclosed a letter from his attorney Mr. John Steensland III stating that my file from the District Clerk's office does not show that the escape charge was no billed. After requesting a copy of my notice by motion of discovery clerk's office

sent me a partial document. I have enclosed this document in its entirety. At the very bottom you can see where something was blacked out by magic marker. Then the whole document was cut in less than half. This is a copy of an original.

4. On my arrest report all shows the escape charge conviction date and a 15 year sentence. Because I never ~~went~~ to trial on this charge and there is a conviction date and sentence. This court has denied me a fair and impartial trial which is a violation of my constitutional rights. Because this case was used as a prior felony in a sentence enhancement it should be looked on as a true bill. Plaintiff would like this court to subpoena notice of impeachment served on attorney to date Martin Adams.

5. Plaintiff has inclosed an print out from on line Calacourt.com's Case detail which shows that the escape charge was infact disposed on 7-25-94 by waiver.

6. Plaintiff also would like to subpoena letters sent to my lawyer to date Martin Adams and John Steensland. Also inclosed is a copy of indictment showing that I was indicted with 5 prior felonies.

Plaintiff has used every measure possible to obtain said document. They just will not release it to me. Plaintiff will swear in court that I saw document. If it was the possession charge I would have used that but it was the escape charge.

Submitted this 2th day of December

Inmate: Travis E. Cummings
Travis E. Cummings

"Please return this document to me"
copy's will be fine.